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(Pub. L. 105-275, title III, §310, Oct. 21, 1998, 112 Stat. 2456.)

§ 166j. Construction contracts

(a) Liquidated damages

The Architect of the Capitol may not enter into or administer any construction contract with a value greater than \$50,000 unless the contract includes a provision requiring the payment of liquidated damages in the amount determined under subsection (b) of this section in the event that completion of the project is delayed because of the contractor.

(b) Amount of payment

The amount of payment required under a liquidated damages provision described in subsection (a) of this section shall be equal to the product of—

- (1) the daily liquidated damage payment rate; and
- (2) the number of days by which the completion of the project is delayed.

(c) Daily liquidated damage payment rate

(1) In general

In subsection (b) of this section, the “daily liquidated damage payment rate” means—

- (A) \$140, in the case of a contract with a value greater than \$50,000 and less than \$100,000;
- (B) \$200, in the case of a contract with a value equal to or greater than \$100,000 and equal to or less than \$500,000; and
- (C) the sum of \$200 plus \$50 for each \$100,000 increment by which the value of the contract exceeds \$500,000, in the case of a contract with a value greater than \$500,000.

(2) Adjustment in rate permitted

Notwithstanding paragraph (1), the daily liquidated damage payment rate may be adjusted by the contracting officer involved to a rate greater or lesser than the rate described in such paragraph if the contracting officer makes a written determination that the rate described does not accurately reflect the anticipated damages which will be suffered by the United States as a result of the delay in the completion of the contract.

(d) Effective date

This section shall apply with respect to contracts entered into during fiscal year 2002 or any succeeding fiscal year.

(Pub. L. 107-68, title I, §130, Nov. 12, 2001, 115 Stat. 580.)

§ 167. Lighting, heating, and ventilating House of Representatives

The electrician, together with everything pertaining to the electrical machinery and apparatus, and the ventilation and heating of the House of Representatives, and all laborers and others connected with the lighting, heating, and ventilating thereof, shall be subject exclusively to the orders, and in all respects under the direction, of the Architect of the Capitol, subject

to the control of the Speaker; and no removal or appointment shall be made except with his approval. And all engineers and others who are engaged in heating and ventilating the House shall be subject to the orders, and in all respects under the direction, of the Architect of the Capitol, subject to the control of the Speaker; and no removal or appointment shall be made except with his approval.

(Mar. 3, 1877, ch. 105, 19 Stat. 348; Mar. 3, 1881, ch. 130, §1, 21 Stat. 388.)

CODIFICATION

Section, except the words “and the ventilating and heating of the House of Representatives,” is based on act Mar. 3, 1881, popularly known as the “Legislative, Executive, and Judicial Appropriation Act”. The excepted words were based on act Mar. 3, 1877, popularly known as the “Sundry Civil Appropriation Act, fiscal year 1878”.

CHANGE OF NAME

Change of name of Architect of the Capitol, functions abolished, transferred, etc., by prior acts, see Codification and Prior Provisions notes set out under section 161 of this title.

§ 167a. Repealed. Pub. L. 90-417, July 23, 1968, 82 Stat. 407

Section, act July 9, 1952, ch. 598, title I, 66 Stat. 473, directed Architect of Capitol to maintain service for House of Representatives after daily adjournment.

EFFECTIVE DATE OF REPEAL

Pub. L. 90-417 provided that after June 30, 1968, provisions of section 167a shall no longer be applicable.

§ 168. Heating and ventilating Senate wing

All engineers and others who are engaged in heating and ventilating the Senate wing of the Capitol shall be subject to the orders and in all respects under the direction of the Architect of the Capitol, subject to the approval of the Senate Committee on Rules and Administration.

(July 11, 1888, ch. 615, 25 Stat. 258; Aug. 2, 1946, ch. 753, title I, §102, title II, §224, 60 Stat. 814, 838.)

CODIFICATION

Section is based on act July 11, 1888, popularly known as the “Legislative, Executive, and Judicial Appropriation Act July 11, 1888, fiscal year 1889”.

AMENDMENTS

1946—Act Aug. 2, 1946, substituted “Committee on Rules and Administration” for “Committee on Rules”.

EFFECTIVE DATE OF 1946 AMENDMENT

Section 142 of act Aug. 2, 1946, provided that section 102 of that act shall take effect on Jan. 2, 1947, and section 245 of that act provided that section 224 thereof shall “take effect on the day on which the Eightieth Congress convenes”. The Eightieth Congress convened on Jan. 3, 1947.

§ 168a. Repealed. Oct. 31, 1951, ch. 654, §3(16), 65 Stat. 708

Section, act June 6, 1900, ch. 791, 31 Stat. 612, provided that fuel be delivered to the two wings of Capitol only during hours and under regulations as Architect of Capitol prescribes.

§ 169. Furniture for House of Representatives

The Architect of the Capitol shall supervise and direct the care and repair of all furniture in

the Hall, cloakrooms, lobby, committee rooms, and offices of the House, and all furniture required for the House of Representatives or for any of its committee rooms or offices shall be procured on designs and specifications made or approved by the said Architect.

(Apr. 28, 1902, ch. 594, 32 Stat. 125.)

CODIFICATION

Section is based on act Apr. 28, 1902, popularly known as the “Legislative, Executive, and Judicial Appropriation Act, fiscal year 1903”.

CHANGE OF NAME

Change of name of the Architect of the Capitol, functions abolished, transferred, etc., by prior acts, see Codification and Prior Provisions notes set out under section 161 of this title.

§ 170. Purchase of furniture or carpets for House or Senate

No furniture or carpets for either House shall be purchased without the written order of the chairman of the Committee on Rules and Administration, for the Senate, or without the written order of the chairman of the Committee on House Oversight of the House of Representatives, for the House of Representatives.

(R.S. §1816; Aug. 2, 1946, ch. 753, title I, §102, title II, §224, 60 Stat. 814, 838; Pub. L. 104-186, title II, §221(2), Aug. 20, 1996, 110 Stat. 1748.)

CODIFICATION

R.S. §1816 derived from Res. Apr. 16, 1862, No. 28, 12 Stat. 617; acts Mar. 30, 1867, ch. 24, §2, 15 Stat. 13; July 20, 1868, ch. 177, §1, 15 Stat. 115; Mar. 3, 1869, ch. 121, §1, 15 Stat. 283, 284; Mar. 3, 1871, ch. 114, §1, 16 Stat. 500; Aug. 15, 1876, ch. 287, 19 Stat. 147.

Provision of R.S. §1816 relating to repairs of Capitol is classified to section 166 of this title.

AMENDMENTS

1996—Pub. L. 104-186 substituted “House Oversight of the House of Representatives, for the House of Representatives” for “Accounts of the House of Representatives, for the House”.

1946—Act Aug. 2, 1946, substituted “Committee on Rules and Administration” for “Committee to Audit and Control the Contingent Expenses of the Senate”.

CHANGE OF NAME

Committee on House Oversight of House of Representatives changed to Committee on House Administration of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

EFFECTIVE DATE OF 1946 AMENDMENT

Section 142 of act Aug. 2, 1946, provided that section 102 of that act shall take effect on Jan. 2, 1947, and section 245 of that act provided that section 224 thereof shall “take effect on the day on which the Eightieth Congress convenes”. The Eightieth Congress convened on Jan. 3, 1947.

§ 170a. Transferred

CODIFICATION

Section, Pub. L. 97-276, §101(e), Oct. 2, 1982, 96 Stat. 1189, which related to disposition of receipts from sale of used or surplus furniture and furnishings of Senate, was transferred to section 117b-1 of Title 2, The Congress.

§ 171. Transfer of discontinued apparatus to other branches

The Architect of the Capitol may transfer apparatus, appliances, equipments, and supplies of

any kind, discontinued or permanently out of service, to other branches of the service of the United States, or District of Columbia, whenever, in his judgment the interests of the Government service may require it.

(June 26, 1912, ch. 182, §11, 37 Stat. 184; Mar. 3, 1921, ch. 124, 41 Stat. 1291; May 29, 1928, ch. 901, §1(120), 45 Stat. 995; Oct. 31, 1951, ch. 654, §3(17), 65 Stat. 708.)

CODIFICATION

Section is based on act June 26, 1912, popularly known as the “District of Columbia Appropriation Act June 26, 1912, fiscal year 1913”.

PRIOR PROVISIONS

Act Mar. 2, 1911, ch. 192, §9, 36 Stat. 1011.

AMENDMENTS

1951—Act Oct. 31, 1951, struck out “with the approval of the Secretary of the Interior,” after “whenever,”.

1928—Act May 29, 1928, struck out provision that required a transfer statement to be submitted in the annual report to Congress by the Superintendent of the Capitol Building and Grounds.

CHANGE OF NAME

Change of name of Architect of the Capitol, functions abolished, transferred, etc., by prior acts, see Codification and Prior Provisions notes set out under section 161 of this title.

§ 172. Repealed. Oct. 31, 1951, ch. 654, §3(18), 65 Stat. 709

Section, act July 16, 1914, ch. 141, 38 Stat. 458, related to custodianship of the building or buildings on reservation numbered 13 in the District of Columbia selected for the purpose of storing unused documents and materials removed from the Capitol Building and Senate and House Office Buildings, and Patent Office models removed from the Senate and House Office Buildings.

§ 173. Estimates for improvements in grounds

All changes and improvements in the Capitol grounds, including approaches to the Capitol, shall be estimated for in detail, showing what modifications are proposed and the estimate cost of the same.

(Mar. 3, 1883, ch. 143, 22 Stat. 621.)

CODIFICATION

Section is based on act Mar. 3, 1883, popularly known as the “Sundry Civil Appropriation Act, fiscal year 1884”.

SIMILAR PROVISIONS

Enlargement of the Capitol grounds by the acquisition of certain squares in the city of Washington, provided by the following Sundry Civil Appropriation Acts for the fiscal years 1911, 1912, 1913, and 1914.

June 23, 1913, ch. 3, 38 Stat. 44.

Aug. 24, 1912, ch. 355, 37 Stat. 454.

Mar. 4, 1911, ch. 285, 36 Stat. 1414.

June 25, 1910, ch. 384, 36 Stat. 738.

§§ 174, 174a. Omitted

CODIFICATION

Section 174, acts Aug. 26, 1912, ch. 408, 37 Stat. 605; Mar. 3, 1921, ch. 124, 41 Stat. 1291; May 29, 1928, ch. 901, §1(85), 45 Stat. 992, which related to control, supervision, and care of buildings and grounds, was superseded by act Mar. 4, 1929, ch. 708, 45 Stat. 1694, and act